IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

WEDNESDAY, THE 28TH MARCH 2007 / 7TH CHAITHRA 1929

WP(C).No. 7021 of 2007(J)

PETITIONER:

BALAMANIYAMMA, AGED 72 YEARS,
RESIDING AT KALLAYI VEEDU,KUNNISSERY,
ALATHUR TALUK, PALAKKAD DISTRICT.

BY ADV. SRI.JOHNSON P.JOHN
SRI.BABY MATHEW

RESPONDENTS:
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1. **DISTRICT SUPERINTENDENT OF POLICE,**
   PALAKKAD DISTRICT, PALAKKAD.

2. **DEPUTY SUPERINTENDENT OF POLICE,**
   ALATHUR, PALAKKAD DISTRICT.

3. **SUB INSPECTOR OF POLICE,**
   ALATHUR POLICE STATION,
   PALAKKAD DISTRICT.

4. **SWAMINATHAN, S/O CHATHU,**
   AGED 58 YEARS, MANAPPOTTAYIL,
   KUNISSERY, ALATHUR TALUK,
   PALAKKAD DISTRICT.

5. **KASU, S/O.CHATHU, AGED 65 YEARS,**
   MANAPPOTTAYIL, KUNISSERY,
   ALATHUR TALUK, PALAKKAD DISTRICT.

BY ADV. SRI.SAJAN VARGHEESE K. FOR R4 AND R5
SRI.LIJU. M.P
SRI.M.N.SAJEER
GOVT.PLEADER SRI.P.A.SALIM

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 28/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF JUDGMENT IN O.S.310/1999 DATED 10.7.2003 OF THE COURT OF MUNSIFF OF ALATHUR.

EXT.P2: COPY OF DECREE IN O.S.310/1999 DATED 10.7.2003 OF THE COURT OF MUNSIFF OF ALATHUR.

EXT.P3: COPY OF JUDGMENT IN O.S.4/2005 DATED 22.11.2005 OF THE COURT OF THE MUNSIFF AT ALATHUR.

EXT.P4: COPY OF DECREE IN O.S.34/2005 DATED 22.11.2005 OF THE COURT OF THE MUNSIFF AT ALATHUR.

EXT.P5: COPY OF THE COMMUNICATION OF DISTRICT SURVEY SUPERINTENDENT, PALAKKAD DATED 23.8.2006.

EXT.P6: COPY OF THE COMPLAINT DATED 1.1.2007 BEFORE THE 3RD RESPONDENT BY THE PETITIONER.

RESPONDENT'S EXHIBITS:

EXT.R1(A): COPY OF THE PLAN PRODUCED IN O.S.NO.310/1999 ON THE FILE OF MUNSIFF'S COURT, ALATHUR.

/TRUE COPY/

J.B. KOSHY & T.R.RAMACHANDRAN NAIR, JJ.

W.P.(C) NO.7021 Of 2007 (J)

Dated this the 28th day of March, 2007

JUDGMENT

KOSHY,J.

This is a petition for police protection. We have granted police protection by interim order dated 2.3.2007 which is as follows:

> "Meanwhile, police to see that Exts.P1 and P3 judgments are not violated if those judgments are now in force, even though Ext.P3 may not be binding on respondents 4 and 5."

Police is directed to see that law and order is maintained. We also make the interim order dated 2.3.2007 absolute. Police is directed to see that the above order is strictly implemented. If there is any objection regarding the properties involved in the civil court jurisdiction, it is for the parties to get clarification from the civil court. With the above observations this writ petition is disposed of.

J.B.KOSHY,JUDGE

T.R.RAMACHANDRAN NAIR, JUDGE

prp

J.B. KOSHY AND
T.R.RAMACHANDRAN NAIR, JJ.

W.P.(C) No./2007

Judgment

Dated:21st March, 2007